

BACKUS | BURDEN

3050 SOUTH DURANGO

LAS VEGAS, NEVADA 89117

TELE: (702) 872-5555 FAX: (702) 872-5545

1 Jack P. Burden, Esq.
 Nevada State Bar No. 6918
 2 Dallin Knecht, Esq.
 Nevada Bar No. 16263
 3 **BACKUS | BURDEN**
 3050 South Durango Drive
 4 Las Vegas, NV 89117
 5 (702) 872-5555
 (702) 872-5545
 6 jburden@backuslaw.com
dallinknecht@backuslaw.com
 7 Attorneys for Defendant,
 8 *Albertson's LLC*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

11	DEBBIE KAY FERRE,)	2:23-cv-01454-GMN-BNW
12)	
12	Plaintiff,)	STIPULATION AND ORDER TO EXTEND
13	vs.)	DISCOVERY
13)	(First Request)
14	ALBERTSON'S, LLC, a Foreign)	
14	Corporation d/b/a Albertson's #3333;)	
15	DOES I through X; and ROE)	
15	CORPORATIONS I through X, inclusive,)	
16)	
16	Defendants.)	

17 Plaintiff DEBBIE KAY FERRE, by and through her counsel, the attorneys at Moss Berg
 18 Injury Lawyers, and Defendant ALBERTSON'S LLC, by and through its counsel of record, the
 19 attorneys at Backus | Burden, hereby stipulate and agree to the extension of the discovery
 20 deadlines in this case for a period of sixty (60) days for the reasons explained herein.

22 Pursuant to Local Rule IA 6-1(a), the parties state that this is the first such discovery
 23 extension requested in this matter.

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DISCOVERY COMPLETED TO DATE – LR 26-3(a)

1. Plaintiff served her Initial FRCP 26(a) Disclosure on October 3, 2023.
2. Defendant served its Initial FRCP 26(a) Disclosure on November 2, 2023.
3. Defendant served Interrogatories and Requests for Production on Plaintiff on November 2, 2023.
4. On November 6, 2023, Defendant served a Notice of Taking Deposition of Plaintiff Debbie Ferre. The deposition was set to take place on January 10, 2024.
5. On November 14, 2023, Plaintiff served Interrogatories and Requests for Production on Defendant.
6. On November 30, 2023, Plaintiff served her First Supplement to her Initial FRCP 26(a) Disclosures.
7. On December 4, 2023, Plaintiff served responses to Defendant's written discovery.
8. On January 2, 2024, Defendant served responses to Plaintiff's written discovery.
9. On January 2, 2024, Defendant served its First Supplement to its Initial FRCP 26(a) Disclosures.
10. On January 9, 2024, Plaintiff conducted a site inspection of the premises involved in the subject incident.
11. On January 10, 2024, Plaintiff was unable to attend her deposition due to scheduling conflicts as she was outside of the State of Nevada.
12. On January 10, Defendant re-noticed the Deposition of Plaintiff for February 29, 2024.
13. On February 2, 2024, Plaintiff noticed the depositions for 3 Albertsons employees.
14. On February 29, 2024, Plaintiff was deposed.

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DISCOVERY REMAINING – LR 26-3(b)

1. Disclosure of initial expert witnesses and rebuttal expert witnesses
2. Depositions of Defendant employees
3. Deposition of Defendant 30(b)(6) witness
4. Depositions of Liability and Medical Experts
5. Depositions of Treating physicians – as necessary
6. Additional fact witness depositions – as necessary

REASONS FOR EXTENSION – LR 26-3(c)

Pursuant to LR IA 6-1 and LR 26-3, the parties represent that good cause exists for the extension of the deadline for discovery, deadlines for expert disclosures, and deadlines for dispositive motions and the joint pre-trial order. The parties had agreed upon a deposition date for Plaintiff in early January, however Plaintiff was unexpectedly required to leave the State of Nevada to attend to important familial matters. Counsel for Plaintiff then had a weeks long trial in the Eighth Judicial District Court, and no depositions were able to be scheduled during this time. The deposition of Plaintiff is necessary evidence for both parties' experts to rely on in forming their opinions. Further, Plaintiff's medical issues in this case span different areas of medicine, requiring the retention of a multitude of experts.

The parties have been working to schedule all remaining depositions, and have made headway, with 4 depositions scheduled since Plaintiff has returned to the State of Nevada and Plaintiff's counsel trial has ended. The parties have acted in good faith in discovery to date and have no intent nor reason to delay the resolution of this matter. A 60-day extension of the applicable deadlines should allow the parties to finish all discovery and potentially resolve the case.

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NEW DISCOVERY DEADLINES – LR 26-3(d)

	Current Deadline	New Deadline
Initial Expert Disclosure	March 15, 2024	May 14, 2024
Amend Pleadings/Add Parties	CLOSED	CLOSED
Rebuttal Expert Disclosure	April 15, 2024	June 14, 2024
Discovery Deadline	May 15, 2024	July 15, 2024
Dispositive Motions	June 14, 2024	August 13, 2024
Joint Pre-Trial Order	July 15, 2024	September 13, 2024

If this extension is granted, all additional discovery should be concluded within the stipulated extended deadlines. The parties represent that this request for an extension is made in good faith and not for the purpose of delay.

DATED this 29th day of February 2024.


 MOSS BERG INJURY ATTORNEYS
 Boyd B. Moss III, Esq.
 Marcus A. Berg, Esq.
 4101 Meadows Lane, Suite 110
 Las Vegas, Nevada 89107
 Attorneys for Plaintiff


 BACKUS | BURDEN
 Jack P. Burden, Esq.
 Dallin Knecht, Esq.
 3050 S. Durango Dr.
 Las Vegas, Nevada 89117
 Attorneys for Defendant

IT IS SO ORDERED.


 UNITED STATES MAGISTRATE JUDGE

DATED: 3/1/2024